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**Attorneys for Movant,**

U.S. Bank Trust National Association as Trustee of Lodge Series IV Trust, its successors and assigns

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**IN RE:**

**Benjamin C. Cohen,  
Kimberly A. Cohen,**

**DEBTOR(S),**

**U.S. Bank Trust National Association as  
Trustee of Lodge Series IV Trust**

**MOVANT,**

**Benjamin C. Cohen,  
Kimberly A. Cohen,  
Mary K Viegelahn, Trustee  
RESPONDENTS.**

**§ CASE NO.: 18-42672**

**§ CHAPTER 13**

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**NOTICE OF TERMINATION OF AUTOMATIC STAY DUE TO  
FAILURE TO CURE DEFAULT**

1. On April 26, 2019, Specialized Loan Servicing, LLC (“Movant”) filed a Motion for Relief from Automatic Stay (the “Motion,” Doc. 17).
2. On September 9, 2019, Movant and Debtors entered into an Agreed Order Modifying Stay (the “Agreed Order,” Doc. 36).
3. On April 3, 2020, Movant’s Claim was transferred to U.S. Bank Trust National Association as Trustee of Lodge Series IV Trust (“U.S. Bank,” Doc. 49). U.S. Bank is entitled to enforce the

Agreed Order as successor in interest to Movant.

4. The Debtors failed to comply with the terms of the Agreed Order and, on November 19, 2020, a Notice of Default letter was sent to Debtors and Debtors' Attorney, pursuant to the terms of the Agreed Order. Following proper notice, Debtors failed to cure the deficiency according to the terms of the Agreed Order and pursuant to the Order are not entitled to another default letter.
5. In Accordance with the terms of the Agreed Order, the automatic stay is terminated with respect to U.S. Bank without further recourse to the Court and U.S. Bank shall be allowed to take any and all steps necessary to exercise any and all rights it may have in the Property commonly known as 15288 Edna Lane, Frisco, Texas 75035.
6. Furthermore, pursuant to the Agreed Order, the 14-day stay as provided in FRBP 4001(a)(3) is waived.

Dated: January 14, 2021

Respectfully submitted,  
GHIDOTTI BERGER

/s/ Chase Berger  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**IN RE:** § CASE NO.: 18-42672

**Benjamin C. Cohen,** § CHAPTER 13  
**Kimberly A. Cohen,** §

**DEBTOR(S),** § **CERTIFICATE OF SERVICE**

**U.S. Bank Trust National Association as** §  
**Trustee of the Lodge Series IV Trust** §

**MOVANT,** §

**Benjamin C. Cohen,** §  
**Kimberly A. Cohen,** §  
**Carey D. Ebert, Trustee** §

**RESPONDENTS.**

**CERTIFICATE OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is: 1920 Old Tustin Ave., Santa Ana, CA 92705.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.

On January 14, 2021, I served the following documents described as:

- **NOTICE OF TERMINATION OF AUTOMATIC STAY DUE TO FAILURE TO CURE PAYMENT**

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

(Via United States Mail)

<b>Debtors:</b> Benjamin C. Cohen Kimberly A. Cohen 15288 Edna Ln. Frisco, TX 75035	<b>Chapter 13 Trustee</b> Carey D Ebert P.O. Box 941166 Plano, TX 75094-1166
<b>Debtors' Counsel</b> Richard A. Pelley 905 N. Travis St Sherman, TX 75090	<b>U.S. Trustee</b> Office of the U.S. Trustee 110 N. College Ave Suite 300 Tyler, TX 75702

xx (By First Class Mail) At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

\_\_\_\_ Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the Eastern District of California

xx (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 14, 2021 at Santa Ana, California

/s / Ana Palacios  
Ana Palacios